

Date

Mr. Wayne Landry
General Counsel
Iberia Parish School Board
P.O. Box 200
New Iberia, Louisiana 70563

Re: Ethics Board Docket No. 2021-653

Dear Mr. Landry:

The Louisiana Board of Ethics, at its September 3, 2021 meeting, considered your request for an advisory opinion regarding the employment of your son, David Landry, with Gulf South Risk while Gulf South Risk has a contractual and business relationship with the Iberia Parish School Board and while you are employed as the General Counsel with the Iberia Parish School Board.

FACTS PROVIDED

You stated that you are currently employed as the General Counsel for the Iberia Parish School Board except for workman compensation claims. Iberia Parish School Board has a claim administration contract for workman compensation claims with Gulf South Risk, Inc. Gulf South Risk employs the services of William Bordelon, a Houma attorney, to handle all litigation.

You stated that your son, David Landry, is currently an insurance producer employed with Stiel Insurance Company. You stated he has no ownership interest in either Stiel Insurance or Gulf South Risk. Gulf South Risk is considering employing David Landry as an adjuster to some of the claims they administer for the Iberia Parish School Board. Gulf South Risk provides services to other school boards and clients.

You stated that in your role as General Counsel, you do not administer the contract with Gulf South Risk; however, you do participate in discussions with Gulf South Risk on the settlement of any claims against Iberia Parish School Board.

LAWS

La. R.S. 42:1113A states no public servant, or a member of such a public servant's immediate family, or a legal entity in which he has a controlling interest shall bid on or enter into any contract, subcontract or other transaction that is under the supervision or jurisdiction of the agency of such public servant.

La. R.S. 42:1114 provides that each public servant and each member of his immediate family who derives anything of economic value, directly, through any transaction involving the agency of such public servant or who derives any thing of economic value of which he may be reasonably expected to know through a person which (1) is regulated by the agency of such public servant, or (2) has bid

on or entered into or is in any way financially interested in any contract, subcontract, or any transaction under the supervision or jurisdiction of the agency of such public servant shall disclose certain information as set forth in Section 1114.

CONCLUSION

The Board concluded, and instructed me to inform you, the Louisiana Code of Governmental Ethics would not prohibit your son, David Landry, from accepting employment with Gulf South Risk, Inc. while Gulf South Risk has a contractual, financial, or business relationship with the Iberia Parish School Board and while you are employed as the General Counsel for the School Board. However, David Landry would be prohibited from being the claims adjuster on any claims involving the Iberia Parish School Board. He may work on claims involving other school boards and clients.

In addition, the Board concluded, and instructed me to inform you that if David Landry accepts employment with Gulf South Risk, as long as Gulf South Risk has a contractual, financial, or business relationship with the Iberia Parish School Board and as long as you are employed as the General Counsel for the School Board, David Landry will be required to file annual financial disclosure statements pursuant to La. R.S. 42:1114.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct, and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

Tracy M. Barker
Deputy General Counsel
For the Board